

**INDICTMENT**

Defendant Nancy New  
 Conspiracy §97-1-1 - 3 Counts  
 Conspiracy §97-7-11 - 2 Counts  
 Conspiracy RICO §97-45-5(4)  
 Embezzlement §97-23-19(d) - 7 Counts  
 Bribery of Public Official §97-11-53 - 6 Counts  
 Defraud The State Of Mississippi §97-7-10 - 10 Counts  
 Mail Fraud §97-19-83 - 10 Counts  
 Forgery §97-21-3 - 2 Counts  
 Violations of Racketeer Influenced and Corrupt Organization Act. §97-43-5 - 3 Counts  
 Violations of Racketeer Influenced and Corrupt Organization Act. §97-43-3.1 - 2 Counts

CIRCUIT COURT NO. 22-2

Defendant Zachary New  
 Conspiracy §97-1-1 - 3 Counts  
 Conspiracy §97-7-11 - 2 Counts  
 Conspiracy RICO §97-45-5(4)  
 Embezzlement §97-23-19(d) - 7 Counts  
 Bribery of Public Official §97-11-53 - 6 Counts  
 Defraud The State Of Mississippi §97-7-10 - 10 Counts  
 Mail Fraud §97-19-83 - 10 Counts  
 Forgery §97-21-3 - 2 Counts  
 Violations of Racketeer Influenced and Corrupt Organization Act. §97-43-5 - 3 Counts  
 Violations of Racketeer Influenced and Corrupt Organization Act. §97-43-3.1 - 2 Counts

THE STATE OF MISSISSIPPI

Circuit Court

FIRST DISTRICT, HINDS COUNTY

January Term, A.D., 2022  
 First Judicial District  
 of Hinds County

The Grand Jurors of the State of Mississippi, taken from the body of good and lawful persons of the First Judicial District of Hinds County, in the State of Mississippi, elected, impanelled, sworn and charged to inquire in and for said District, County and State aforesaid, in the name and by the authority of the State of Mississippi, upon their oath present: That

Nancy New and Zachary New, Co-Defendants

In said District, County and State

**COUNT I**

on, about and between the 18<sup>th</sup> day of January, 2019 and the 7<sup>th</sup> day of October 2019, in the county aforesaid and within the jurisdiction of this Court, said Nancy New being a female human being above the age of eighteen (18) years, and Zachary New being a male human being above the age of eighteen (18) years, whose date of birth is, did willfully, unlawfully, and feloniously enter into a conspiracy with each other, and others known and unknown to the grand jury, to commit the crime of embezzlement in violation of Miss. Code §97-23-19, To-wit: Nancy New and Zachary New, conspired with each other and others known and unknown to the grand jury, to convert funds received by the Mississippi Community Education Center, a private non-profit entity responsible

for distributing public grant funds received from the State of Mississippi by transferring funds owned by the Mississippi Community Education Center, from its bank account, a Regions Bank Account, through a series of multiple transactions, into bank accounts owned by Prevacus, Suntrust Bank, and PresolMD, Suntrust Bank, Florida based biomedical companies, which transferred funds were used to purchase investment interests in Prevacus and PresolMD which investment interests were owned by Nancy New and Zachary New, all occurring within the jurisdiction of this court and in violation of Section 97-1-1 and Section 97-23-19, Mississippi Code Annotated (1972, as amended); and,

COUNT II

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New being a female human being above the age of eighteen (18) years, and Zachary New being a male human being above the age of eighteen (18) years, did, on or about the 18th of January, 2019, willfully, unlawfully, and feloniously embezzle, fraudulently secrete, conceal, or convert to their own use, or make way with, or secrete with intent to embezzle or convert to their own use, United States Funds, money, in a value in excess of \$25,000.00, which United States Funds came into their possession and/or had been entrusted to Nancy New and Zachary New by virtue of their offices, positions, places, or employment, either in mass or otherwise, To-wit: Nancy New and Zachary New, while serving as the Executive Director and Assistant Executive Director, respectively, of the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi, embezzled, converted to their own use and transferred seven hundred and fifty thousand dollars, \$750,000.00, the property of the Mississippi Community Education Center, from its bank account, Regions Bank Account Number \*\*\*\*\*7729, to an account controlled by Nancy New and Zachary New in the name of New Learning Resources, Inc., which in turn mailed a check for \$750,000.00 from Account 0122811079 to Prevacus, Inc., which deposited said \$750,000.00 check in Prevacus, Inc., Suntrust Bank Account Number \*\*\*\*\*7709, a Florida based biomedical company, which transferred funds were used to purchase an investment interest in Prevacus Inc., which investment interest was owned by Nancy Whitten New and Zachery Whitten New, all occurring within the jurisdiction of this court and in violation of Section 97-23-19(d), Mississippi Code Annotated (1972, as amended); and,

COUNT III

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New being a female human being above the age of eighteen (18) years, and Zachary New being a male human being above the age of eighteen (18) years, did, on or about the 8th day of April, 2019, willfully, unlawfully, and feloniously embezzle, fraudulently secrete, conceal, or convert to their own use, or make way with, or secrete with intent to embezzle or convert to their own use, United States Funds, money, in a value in excess of \$25,000.00, which United

United States Funds came into their possession and/or had been entrusted to them by virtue of their offices, positions, places, or employment, either in mass or otherwise, To-wit: Nancy New was serving as the Executive Director of the Mississippi Community Education Center, and Zachary New was serving as the Assistant Executive Director of the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi, embezzled, converted to their own use and transferred \$500,000.00, via wire, the property of the Mississippi Community Education Center, from its bank account, a Regions Bank Account, to a bank account owned by Prevacus, Suntrust Bank, a Florida based biomedical company, which transferred funds were used to purchase an investment interest in Prevacus which investment interest was owned by Nancy New and Zachary New, all occurring within the jurisdiction of this court and in violation of Section 97-23-19(d), Mississippi Code Annotated (1972, as amended); and,

#### COUNT IV

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years did, on or about the 10<sup>th</sup> day of May, 2019, willfully, unlawfully, and feloniously embezzle, fraudulently secrete, conceal, or convert to their own use, or make way with, or secrete with intent to embezzle or convert to each of their own use, United States Funds, money, in a value in excess of \$25,000.00, which United States Funds came into their possession and/or had been entrusted to them by virtue of their offices, positions, places, or employment, either in mass or otherwise, To-wit: Nancy New was serving as the Executive Director of the Mississippi Community Education Center, and Zachary New was serving as the Assistant Executive Director of the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi, embezzled, converted to their own use and transferred two hundred and fifty thousand dollars, \$250,000.00, via wire, the property of the Mississippi Community Education Center, from its bank account, a Regions Bank Account, to a bank account owned by Prevacus, Suntrust Bank, a Florida based biomedical company, which transferred funds were used to purchase an investment interest in Prevacus which investment interest was owned by Nancy New and Zachary New, all occurring within the jurisdiction of this court and in violation of Section 97-23-19(d), Mississippi Code Annotated (1972, as amended); and,

#### COUNT V

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about the 16<sup>th</sup> day of July, 2019, willfully, unlawfully, and feloniously embezzle, fraudulently secrete, conceal,

or convert to their own use, or make way with, or secrete with intent to embezzle or convert to their own use, United States Funds, money, in a value in excess of \$25,000.00, which United States Funds came into their possession and/or had been entrusted to them by virtue of their offices, positions, places, or employment, either in mass or otherwise, To-wit: Nancy New was serving as the Executive Director of the Mississippi Community Education Center, and Zachary New was serving as the Assistant Executive Director of the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi, embezzled, converted to their own use and transferred four hundred thousand dollars, \$400,000.00, via wire, the property of the Mississippi Community Education Center, from its bank account, a Regions Bank Account to a bank account owned by Prevacus, Suntrust Bank, a Florida based biomedical company, which transferred funds were used to purchase an investment interest in Prevacus which investment interest was owned by Nancy New and Zachary New, all occurring within the jurisdiction of this court and in violation of Section 97-23-19(d), Mississippi Code Annotated (1972, as amended); and,

COUNT VI

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about the 24<sup>th</sup> day of September, 2019, willfully, unlawfully, and feloniously embezzle, fraudulently secrete, conceal, or convert to their own use, or make way with, or secrete with intent to embezzle or convert to their own use, United States Funds, money, in a value in excess of \$25,000.00, which United States Funds came into their possession and/or had been entrusted to them by virtue of their offices, positions, places, or employment, either in mass or otherwise, To-wit: Nancy New was serving as the Executive Director of the Mississippi Community Education Center, and Zachary New was serving as the Assistant Executive Director of the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi, embezzled, converted to their own use and transferred one hundred thousand dollars, \$100,000.00, via wire, the property of the Mississippi Community Education Center, from its bank account, a Regions Bank Account to a bank account owned by PresolMD, Suntrust Bank, a Florida based biomedical company, which transferred funds were used to purchase an investment interest in PresolMD which investment interest was owned by Nancy New and Zachery New, all occurring within the jurisdiction of this court and in violation of Section 97-23-19(d), Mississippi Code Annotated (1972, as amended); and,

COUNT VII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about the 7<sup>th</sup>

day of October, 2019, willfully, unlawfully, and feloniously embezzle, fraudulently secrete, conceal, or convert to their own use, or make way with, or secrete with intent to embezzle or convert to their own use, United States Funds, money, in a value in excess of \$25,000.00, which United States Funds came into their possession and/or had been entrusted to them by virtue of their offices, positions, places, or employment, either in mass or otherwise, To-wit: Nancy New was serving as the Executive Director of the Mississippi Community Education Center, and Zachary New was serving as the Assistant Executive Director of the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi, embezzled, converted to their own use and transferred one hundred fifty thousand dollars, \$150,000.00, via wire, the property of the Mississippi Community Education Center, from its bank account, a Regions Bank Account to a bank account owned by PresolMD, Suntrust Bank, a Florida based biomedical company, which transferred funds were used to purchase an investment interest in PresolMD which investment interest was owned by Nancy New and Zachary New, all occurring within the jurisdiction of this court and in violation of Section 97-23-19(d), Mississippi Code Annotated (1972, as amended); and,

COUNT VIII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about and between 18<sup>th</sup> day of January, 2019 and the 7<sup>th</sup> day of October 2019, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi or any department, agency, office, board, commission, county, municipality or other subdivision of the state or local government, knowingly and willfully falsified, concealed or covered up by trick, scheme or device, a material fact, or made a false, fictitious and fraudulent statements or representations, or made or used any false writing or document knowing that the same contained false, fictitious and fraudulent statements or entries, To-wit: Nancy New and Zachary New while acting in concert and/or aiding, and assisting others known and unknown to the grand jury, falsified documents, invoices, books, reports, ledgers, and accountings of the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi, at a time when they were in the positions of Executive Director and Assistant Executive Director, respectively, of the Mississippi Community Education Center, to conceal that they had embezzled or otherwise unlawfully misdirected \$2,150,000.00, from the Mississippi Community Education Center which embezzled funds were used to purchase investment interests in Prevacus and PresolMD, Florida based biomedical companies, which investment interests were owned by Nancy New and Zachery New, all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended); and,

**COUNT IX**

On, about and between the 20th day of September 2018 and the 20th day of October 2019, in the county aforesaid and within the jurisdiction of this Court, Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did willfully, unlawfully, and feloniously entered into a conspiracy with each other, Anne McGrew, John Davis and others known and unknown to the grand jury, to commit the crime of embezzlement in violation of §97-23-19, To-wit: Nancy New and Zachery New conspired with each other, Anne McGrew, John Davis and others known and unknown to the grand jury, to embezzle and convert to each of their own use funds received by the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi by transferring funds owned by the Mississippi Community Education Center, from a bank account owned by the Mississippi Community Education Center, through a series of multiple transaction, into bank accounts owned by New Learning Resources, Inc., a private for profit company owned and controlled by Nancy Whitten New and Zachery Whitten New, and thus converting such monies to each of their own use, all occurring within the jurisdiction of this court and in violation of Section 97-1-1 and Section 97-23-19, Mississippi Code Annotated (1972, as amended); and,

**COUNT X**

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy Whitten New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about and between the 20th day of September 2018 and the 20th day of October 2019, willfully, unlawfully, and feloniously embezzle, fraudulently secrete, conceal, or convert to each of their own use, or make way with, or secrete with intent to embezzle or convert to each of their own use, United States Funds, money, in a value in excess of \$25,000.00, which United States Funds came into their possession and/or had been entrusted to Nancy New and Zachery New by virtue of their offices, positions, places, or employment, either in mass or otherwise, To-wit: Nancy New was serving as the Executive Director of the Mississippi Community Education Center, and Zachary New was serving as the Assistant Executive Director of the Mississippi Community Education Center, a private non-profit entity responsible for distributing public grant funds received from the State of Mississippi, embezzled, converted to each of their own use and transferred funds, in excess of two million dollars, \$2,000,000.00, the property of the Mississippi Community Education Center, from a bank account owned by the Mississippi Community Education Center, through a series of multiple transaction, into bank accounts owned by New Learning, Resources Inc, a private for-profit company owned and controlled by Nancy Whitten New and Zachery Whitten New and thus converting such monies to each of their own use, all occurring within the jurisdiction of this court and in violation of Section 97-23-19 (d), Mississippi Code Annotated (1972, as amended); and,

COUNT XI

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about February 11, 2019, willfully, unlawfully, feloniously, and directly or indirectly offer, promise, give or agree to give to a public official as defined by Miss. Code §97-11-53, money, property, or other tangible or intangible thing of value as a bribe or inducement or incentive for the awarding or refusal to award a contract by an entity referred to Miss. Code §97-11-53(2-b)(i) through (v) or as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust. To-wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public TANF grant funds to Mississippi Community Education Center, did directly or indirectly offer, promise, give or agree to give to John Davis, a public official holding the office of Executive Director of the Mississippi Department of Human Services money, property, or other tangible or intangible thing of value, namely a payment of \$40,000.00, on or about February 11, 2019, of limited purpose public TANF grant funds toward the extinguishment of the personal debt of John Davis to Rise In Malibu made as an inducement or incentive of awarding a contract modification by the Mississippi Department of Human Services on or about June 13, 2019, which increased the limited purpose grant funds under the control of Nancy New and Zachary New by \$3,600,000.00 and as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust, namely the subsequent transfers, on and after February 11, 2019, of limited purpose public grant TANF funds to Mississippi Community Education Center, under the control of Nancy New and Zachary New, from the Mississippi Department of Human Services, including but not limited to those limited purpose public TANF grant funds fraudulently obtained and transferred by Nancy New and Zachary New to New Learning Resources Inc., and to Prevacus Inc., and to PresolMD, all occurring within the jurisdiction of this court and in violation of Section 97-11-53, Mississippi Code Annotated (1972, as amended); and,

COUNT XII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about March 7, 2019, willfully, unlawfully, feloniously, and directly or indirectly offer, promise, give or agree to give to a public official as defined by Miss. Code §97-11-53, money, property, or other tangible

or intangible thing of value as a bribe or inducement or incentive for the awarding or refusal to award a contract by an entity referred to Miss. Code §97-11-53(2-b)(i) through (v) or as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust. To-wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public TANF grant funds to Mississippi Community Education Center, did directly or indirectly offer, promise, give or agree to give to John Davis, a public official holding the office of Executive Director of the Mississippi Department of Human Services money, property, or other tangible or intangible thing of value, namely a payment of \$40,000.00, on or about March 7, 2019, toward the extinguishment of the personal debt of John Davis to Rise In Malibu made as an inducement or incentive of awarding a contract modification by the Mississippi Department of Human Services on or about June 13, 2019, which increased the limited purpose grant funds under the control of Nancy New and Zachary New by \$7,600,000.00 and as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust, namely the subsequent transfers, on and after March 7, 2019, of limited purpose public grant TANF funds to Mississippi Community Education Center, under the control of Nancy New and Zachary New, from the Mississippi Department of Human Services, including but not limited to those limited purpose public TANF grant funds fraudulently obtained and transferred by Nancy New and Zachary New to New Learning Resources Inc., and to Prevacus Inc., and to PresolMD, all occurring within the jurisdiction of this court and in violation of Section 97-11-53, Mississippi Code Annotated (1972, as amended); and,

COUNT XIII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about April 8, 2019, willfully, unlawfully, feloniously, and directly or indirectly offer, promise, give or agree to give to a public official as defined by Miss. Code §97-11-53, money, property, or other tangible or intangible thing of value as an inducement or incentive for the awarding or refusal to award a contract by an entity referred to Miss. Code §97-11-53(2-b)(i) through (v) or as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust. To-wit: on or about April 8, 2019 —the very same date Nancy New and Zachary New fraudulently caused \$500,000.00, in limited purpose public TANF grant funds, to be transferred to Prevacus Inc., for the personal enrichment of Nancy New and Zachary New, to wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, while acting in concert and/or aiding,

and assisting each other, John Davis and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public TANF grant funds to Mississippi Community Education Center, did directly or indirectly offer, promise, give or agree to give to John Davis, a public official holding the office of Executive Director of the Mississippi Department of Human Services money, property, or other tangible or intangible thing of value, namely a payment of \$40,000.00, on or about April 8, 2019, toward the extinguishment of the personal debt of John Davis to Rise In Malibu made as an inducement or incentive of awarding a contract modification by the Mississippi Department of Human Services on or about June 13, 2019, which increased the limited purpose grant funds under the control of Nancy New and Zachary New by \$7,600,000.00 and as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust, namely the subsequent transfers, on and after April 8, 2019, of limited purpose public grant TANF funds to Mississippi Community Education Center, under the control of Nancy New and Zachary New, from the Mississippi Department of Human Services, including but not limited to those limited purpose public TANF grant funds fraudulently obtained and transferred by Nancy New and Zachary New to New Learning Resources Inc., and to Prevacus Inc., and to PresolMD, all occurring within the jurisdiction of this court and in violation of Section 97-11-53, Mississippi Code Annotated (1972, as amended); and,

#### COUNT XIV

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about June 13, 2019, the very day that John Davis signed a contract modification by the Mississippi Department of Human Services which increased the limited purpose grant funds under the control of Nancy New and Zachary New by \$7,600,000.00, did willfully, unlawfully, feloniously, and directly or indirectly offer, promise, give or agree to give to a public official as defined by Miss. Code §97-11-53, money, property, or other tangible or intangible thing of value as a bribe or an inducement or incentive for the awarding or refusal to award a contract by an entity referred to Miss. Code §97-11-53(2-b)(i) through (v) or as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust. To-wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, and while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public TANF grant funds to Mississippi Community Education Center, did directly or indirectly offer, promise, give or agree to give to John Davis, a public official holding the office of Executive Director of the Mississippi Department of Human Services money, property, or other tangible or intangible thing of value, namely a payment of \$40,000.00

on or about June 13, 2019, toward the extinguishment of the personal debt of John Davis to Rise In Malibu made as an inducement or incentive for awarding a contract modification by the Mississippi Department of Human Services on June 13, 2019, the very same day as the payment of the bribe, which increased the limited purpose grant funds under the control of Nancy New and Zachary New by \$7,600,000.00 and as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust, namely the subsequent transfers, on and after June 13, 2019, of limited purpose public grant TANF funds to Mississippi Community Education Center, under the control of Nancy New and Zachary New, from the Mississippi Department of Human Services, including but not limited to those limited purpose public TANF grant funds fraudulently obtained and transferred by Nancy New and Zachary New to New Learning Resources Inc., and to Prevacus Inc., and to PresolMD, all occurring within the jurisdiction of this court and in violation of Section 97-11-53, Mississippi Code Annotated (1972, as amended); and,

#### COUNT XV

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about February 23, 2019 willfully, unlawfully, feloniously, and directly or indirectly offer, promise, give or agree to give to a public official as defined by Miss. Code §97-11-53, money, property, or other tangible or intangible thing of value as a bribe or an inducement or incentive for the awarding or refusal to award a contract by an entity referred to Miss. Code §97-11-53(2-b)(i) through (v) or as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust. To-wit: on or about February 23, 2019, Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, and while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public TANF grant funds to Mississippi Community Education Center, did directly or indirectly offer, promise, give or agree to give to John Davis, a public official holding the office of Executive Director of the Mississippi Department of Human Services money, property, or other tangible or intangible thing of value, namely payment in Hinds County, Mississippi at least \$790.00 for a luxury hotel suite at the Four Seasons Hotel in California used by John Davis for his personal use and which payment was made as an inducement or incentive for the awarding a contract modification by the Mississippi Department of Human Services on or about June 13, 2019, which increased the limited purpose grant funds under the control of Nancy New and Zachary New by \$7,600,000.00 and as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust, namely the subsequent transfers, on and after February 23, 2019, of limited purpose public grant TANF funds to Mississippi Community Education Center, under the control of Nancy New and Zachary New,

from the Mississippi Department of Human Services, including but not limited to those limited purpose public TANF grant funds fraudulently obtained and transferred by Nancy New and Zachary New to New Learning Resources Inc., and to Prevacus Inc., and to PresolMD, all occurring within the jurisdiction of this court and in violation of Section 97-11-53, Mississippi Code Annotated (1972, as amended); and,

COUNT XVI

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about February 20, 2019 willfully, unlawfully, feloniously, and directly or indirectly offer, promise, give or agree to give to a public official as defined by Miss. Code §97-11-53, money, property, or other tangible or intangible thing of value as a bribe or an inducement or incentive for the awarding or refusal to award a contract by an entity referred to Miss. Code §97-11-53(2-b)(i) through (v) or as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust. To-wit: on or about February 20, 2019, Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, and while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public TANF grant funds to Mississippi Community Education Center, did directly or indirectly offer, promise, give or agree to give to John Davis, a public official holding the office of Executive Director of the Mississippi Department of Human Services money, property, or other tangible or intangible thing of value, namely payment in Hinds County, Mississippi at least \$1,107.75 for a First Class Ticket for a flight to and from California and \$238.31 to a California limousine company for a chauffeured sedan for personal use of John Davis and which payment was made as an inducement or incentive for the awarding a contract modification by the Mississippi Department of Human Services on or about June 13, 2019, which increased the limited purpose grant funds under the control of Nancy New and Zachary New by \$7,600,000.00 and as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust, namely the subsequent transfers, on and after February 20, 2019, of limited purpose public grant funds to Mississippi Community Education Center from the Mississippi Department of Human Services, including but not limited to those limited purpose public grant funds fraudulently obtained and transferred by Nancy New and Zachary New to New Learning Resources Inc., and to Prevacus Inc., and to PresolMD, all occurring within the jurisdiction of this court and in violation of Section 97-11-53, Mississippi Code Annotated (1972, as amended); and,

**COUNT XVII**

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years, and Zachary New being a male human being above the age of eighteen (18) years, did on, about and between February 11, 2019 and June 13, 2019, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously entered into a conspiracy with each other, John Davis and others known and unknown to the grand jury, to commit the crime of bribery in violation of Miss. Code §97-11-53, To-wit: between February 11, 2019 and June 13, 2019, Nancy New and Zachary New conspired with each other and with John Davis, a public official being the Executive Director of the Mississippi Department of Human Services and others known and unknown to the grand jury, to directly or indirectly offer, promise, give or agree to give to John Davis, a public official holding the office of Executive Director of the Mississippi Department of Human Services money, property, or other tangible or intangible thing of value, namely payment of the personal debts and personal travel expenses of John Davis as an inducement or incentive of awarding a contract modification by the Mississippi Department of Human Services on or about June 13, 2019 which increased the limited purpose grant funds under the control of Nancy New and Zachary New by \$7,600,000.00 and/or as an inducement or incentive for the accomplishment of any official act or purpose involving public funds or public trust, namely the subsequent transfers of public funds to Mississippi Community Education Center, under the control of Nancy New and Zachary New, from the Mississippi Department of Human Services on and after February 20, 2019, all occurring within the jurisdiction of this court and in violation of Section 97-1-1 and Section 97-11-53, Mississippi Code Annotated (1972, as amended); and,

**COUNT XVIII**

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about October 1, 2018 and continuing until December 31, 2019, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi enter into an agreement, combination or conspiracy to defraud the State of Mississippi, or any department or political subdivision thereof, by obtaining or aiding to obtain the payment or allowance from the public funds of the state, or of any department or political subdivision thereof, of any false or fraudulent claim, To-wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, while acting in agreement, combination and conspiracy with each other, and in combination, conspiracy, concert and/or aiding, and assisting John Davis and others known and unknown to the grand jury, did with the intent to defraud the Mississippi Department of Human Services knowingly and willfully submit

false and fraudulent claims to the Mississippi Department of Human Services which documents intentionally, knowingly and falsely sought and obtained payments of at least \$1,656,000.00 of limited purpose public grant funds which were criminally diverted, or which were obtained to replace funds which were criminally diverted, to New Learning Resources, Inc., a company which Nancy New and Zachary New owned and controlled, and which was known by Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes known by Nancy New and Zachary New and Zachary New to not be allowed by law and the terms of the grant under which the funds were obtained from the Mississippi Department of Human Services, all occurring within the jurisdiction of this court and in violation of Section 97-7-11, Mississippi Code Annotated (1972, as amended).

COUNT XIX

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years, and Zachary New being a male human being above the age of eighteen (18) years, did, on or about October 1, 2018 and continuing until December 31, 2019, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi enter into an agreement, combination or conspiracy to defraud the State of Mississippi, or any department or political subdivision thereof, by obtaining or aiding to obtain the payment or allowance from the public funds of the state, or of any department or political subdivision thereof, of any false or fraudulent claim, To-wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, while acting in agreement, combination and conspiracy with each other, and in combination, conspiracy, concert and/or aiding, and assisting John Davis and others known and unknown to the grand jury, did with the intent to defraud the Mississippi Department of Human Services knowingly and willfully submit false and fraudulent claims to the Mississippi Department of Human Services which documents intentionally, knowingly and falsely sought and obtained payments of at least \$2,150,000.00 of limited purpose public grant funds which were criminally diverted, or used to replace limited purpose public grant funds previously criminally diverted, to Prevacus Inc., and/or PresolMD, companies known by Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes of the acquisition of an ownership interest in said companies by Nancy New and Zachary New which was a purpose known by Nancy New and Zachary New to not be allowed by law and the terms of the grant under which the funds were obtained from the Mississippi Department of Human Services, all occurring within the jurisdiction of this court and in violation of Section 97-7-11, Mississippi Code Annotated (1972, as amended).

COUNT XX

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18)

years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about the week of November 18, 2019, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi or any department, agency, office, or other subdivision of the state or local government, knowingly and willfully made false, fictitious and fraudulent statements or representations, or made or used any false writing or document knowing that the same contained false, fictitious and fraudulent statements or entries, To-wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, and while acting in concert and/or aiding, and assisting each other, John Davis, and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public TANF grant funds to Mississippi Community Education Center, did with the intent to defraud the Mississippi Department of Human Services knowingly and willfully create, submit and deliver a document entitled "Memorandum of Understanding Between Mississippi Community Education Center and New Learning Resources, Inc.," bearing the forged signature of William R. Sutton, to the Mississippi Office Of State Auditor and intentionally, knowingly and falsely represented that there existed a valid written agreement between Mississippi Community Education Center and New Learning Resources, Inc., in relation to an illegal transfer of at least \$700,000.00, limited purpose public TANF grant funds to New Learning Resources, Inc., a company owned and/or controlled by Nancy New and Zachary New, when Nancy New and Zachary New knew that the document was forged and false, that no such agreement existed, the described program did not exist and that the forged document had been created after the fact to fraudulently conceal the wrongful enrichment by unlawful criminal use of limited purpose public TANF grant funds and to attempt to avoid each their personal accountability to the State of Mississippi for the funds criminally obtained and/or to continue to conceal their individual and joint violations of the federal and state laws concerning TANF grants and/or the breach of contractual grant obligations, all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended); and,

COUNT XXI

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about June 12, 2019, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi or any department, agency, office, board, commission, county, municipality or other subdivision of the state or local government, knowingly and willfully made false, fictitious and fraudulent statements or representations, or made or used any false writing or document knowing that the same contained false, fictitious and fraudulent statements or entries, To-wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director

of the Mississippi Community Education Center, and while acting in concert and/or aiding, and assisting each other, Anne McGrew, John Davis and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public grant funds to Mississippi Community Education Center, did with the intent to defraud the Mississippi Department of Human Services out of an additional \$7,600,000.00, knowingly and willfully submit documents entitled "Subgrant Modification Signature Sheet," "Modification Budget Summary," "Modification Cost Summary Support Sheets," "Budget Changes/Modification #3," "Modification of Subgrant" and ledgers and other documents to the Mississippi Department of Human Services which documents intentionally, knowingly and falsely represented that previously obtain funds had been lawfully expended to appropriate ends in accordance with the terms and conditions of the subject grants when Nancy New and Zachary New knew that such funds had not been lawfully expended to appropriate ends in accordance with the terms and conditions of the subject grants and instead Nancy New and Zachary New had wrongfully profited and wrongly enriched themselves, by the criminal wrongful diversion of the entrusted limited purpose public grant funds to the payments of bribes to John Davis, and to New Learning Resources, Inc., a company which they owned and/or controlled, and which was known Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms of the grant under which the funds were entrusted and instead Nancy New and Zachary New had wrongfully profited and wrongly enriched themselves, by the criminal wrongful diversion of the entrusted limited purpose public grant funds to Prevacus, Inc., and PresolMD, which companies were known by Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms of the grants under which the funds were entrusted, all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended); and,

COUNT XXII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about September 26, 2019, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi or any department, agency, office, board, commission, county, municipality or other subdivision of the state or local government, knowingly and willfully made false, fictitious and fraudulent statements or representations, or made or used any false writing or document knowing that the same contained false, fictitious and fraudulent statements or entries, To-wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, and while acting in concert and/or aiding, and assisting each other, Anne McGrew, John Davis and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public grant funds to Mississippi Community Education

Center, did with the intent to defraud the Mississippi Department of Human Services out of an additional \$4,822,992.01, knowingly and willfully submit documents entitled "Subgrant Modification Signature Sheet," "Modification Budget Summary," "Modification Cost Summary Support Sheets," "Budget Changes/Modification #4," "Modification of Subgrant" and ledgers to the Mississippi Department of Human Services which intentionally, knowingly and falsely represented that previously obtain funds had been lawfully expended to appropriate ends in accordance with the terms and conditions of the subject grants when Nancy New and Zachary New knew that such funds had not been lawfully expended to appropriate ends in accordance with the terms and conditions of the subject grants and instead Nancy New and Zachary New had wrongfully profited and wrongly enriched themselves, by the criminal wrongful diversion of the entrusted limited purpose public grant funds to the payments of bribes to John Davis, and to New Learning Resources, Inc., a company which they owned and/or controlled, and which was known Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms of the grants under which the funds were entrusted and instead Nancy New and Zachary New had wrongfully profited and wrongly enriched themselves, by the criminal wrongful diversion of the entrusted limited purpose public grant funds to Prevacus, Inc., and PresolMD, which companies were known by Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms of the grants under which the funds were entrusted, all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended); and,

#### COUNT XXIII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about October 31, 2019, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi or any department, agency, office, board, commission, county, municipality or other subdivision of the state or local government, knowingly and willfully made false, fictitious and fraudulent statements or representations, or made or used any false writing or document knowing that the same contained false, fictitious and fraudulent statements or entries, To-wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, and while acting in concert and/or aiding, and assisting Anne McGrew, John Davis and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public grant funds to Mississippi Community Education Center, did with the intent to defraud the Mississippi Department of Human Services knowingly and willfully submit documents entitled "Subgrant Expenditure Report For Period Ending September 30, 2019," and ledgers to the Mississippi Department of Human Services which intentionally, knowingly and falsely represented that previously obtain funds had been lawfully expended to appropriate ends in accordance with the terms and conditions of the subject grants when Nancy New and Zachary

New knew that such funds had not been lawfully expended to appropriate ends in accordance with the terms and conditions of the subject grants and instead Nancy New and Zachary New had wrongfully profited and wrongly enriched themselves, by the wrongful diversion of the entrusted limited purpose public grant funds to the payments of bribes to John Davis, and to New Learning Resources, Inc., a company which they owned and/or controlled, and which was known Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms of the grants under which the funds were entrusted and instead Nancy New and Zachary New had wrongfully profited and wrongly enriched themselves, by the criminal wrongful diversion of the entrusted limited purpose public grant funds to Prevacus, Inc., and PresolMD, which companies were known by Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms of the grants under which the funds were entrusted, all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended); and,

#### COUNT XXIV

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about December 3, 2019, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi or any department, agency, office, board, commission, county, municipality or other subdivision of the state or local government, knowingly and willfully made false, fictitious and fraudulent statements or representations, or made or used any false writing or document knowing that the same contained false, fictitious and fraudulent statements or entries, To-wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center, and while acting in concert and/or aiding, and assisting each other, Anne McGrew, John Davis and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public grant funds to Mississippi Community Education Center, did with the intent to defraud the Mississippi Department of Human Services knowingly and willfully submit documents entitled "Subgrant Expenditure Report For Period Ending November 30, 2019," and ledgers to the Mississippi Department of Human Services which intentionally, knowingly and falsely represented that previously obtain funds had been lawfully expended to appropriate ends in accordance with the terms and conditions of the subject grants when Nancy New and Zachary New knew that such funds had not been lawfully expended to appropriate ends in accordance with the terms and conditions of the subject grants and instead Nancy New and Zachary New had wrongfully profited and wrongly enriched themselves, by the criminal wrongful diversion of the entrusted limited purpose public grant funds to the payments of bribes to John Davis, and to New Learning Resources, Inc., a company which they owned and/or controlled, and which was known Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms of the grants under which the

funds were entrusted and instead Nancy New and Zachary New had wrongfully profited and wrongly enriched themselves, by the criminal wrongful diversion of the entrusted limited purpose public grant funds to Prevacus, Inc., and PresolMD, which companies were known by Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms of the grants under which the funds were entrusted, all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended); and,

COUNT XXV

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about December 20, 2019, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi or any department, agency, office, board, commission, county, municipality or other subdivision of the state or local government, knowingly and willfully made false, fictitious and fraudulent statements or representations, or made or used any false writing or document knowing that the same contained false, fictitious and fraudulent statements or entries, To-wit: Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, and while acting in concert and/or aiding, and assisting Zachary New, the Assistant Executive Director of the Mississippi Community Education Center, and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public grant funds to Mississippi Community Education Center, did with the intent to defraud the Mississippi Department of Human Services knowingly and willfully submit a document entitled "Certification of Subgrant Compliance" to the Mississippi Department of Human Services which intentionally, knowingly and falsely represented that "all terms and condition of said subgrant have been met" and other related documents close out documents submitted at the same time when Nancy New and Zachary New knew that the terms and conditions of 2019 TANF Subgrants had not been met and the documents were false and instead Nancy New and Zachary New had wrongfully profited and wrongly enriched themselves, by the criminal wrongful diversion of the limited purpose public grant funds to bribe John Davis, and to New Learning Resources, Inc., which company which they owned and controlled, and which was known by Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms and conditions of the grants under which the funds were entrusted and to Prevacus, Inc., and PresolMD, which companies were known by Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms and conditions of the grants under which the funds were entrusted, all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended); and,

COUNT XXVI

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy Whitten New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about and between February 20, 2019, and the February 4, 2020, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi or any department, agency, office, board, commission, county, municipality or other subdivision of the state or local government, knowingly and willfully falsified, concealed or covered up by trick, scheme or device, material facts, To- wit: Nancy New and Zachery New, and others known and unknown to the grand jury, did with the intent to defraud the Mississippi Department of Human Services by knowingly and willfully conceal or cover up by trick, scheme or device the material facts that they had bribed John Davis or otherwise fraudulent and unlawfully paid Rise In Malibu using \$160,000.00 in limited purpose public TANF Grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services, all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended); and,

COUNT XXVII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy Whitten New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about and between January 22, 2019, and October 7, 2019, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi or any department, agency, office, board, commission, county, municipality or other subdivision of the state or local government, knowingly and willfully falsified, concealed or covered up by trick, scheme or device, material facts, To- wit: Nancy New and Zachery New, and others known and unknown to the grand jury, did with the intent to defraud the Mississippi Department of Human Services by having knowingly and willfully concealed or covered up by trick, scheme or device the material facts that they had fraudulently and unlawfully obtained and transferred \$2,150,000.00 in limited purpose public TANF Grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services to Prevacus, Inc., and PresolMD, which companies were known by Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms and conditions of the grants under which the funds were entrusted, all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended), all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended); and,

COUNT XXVIII

based upon a series of acts connected together and constituting parts of a common

scheme and plan, said Nancy Whitten New, being a female human being above the age of eighteen (18) years, and Zachary New being a male human being above the age of eighteen (18) years, did, on or about and between January 22, 2019, and October 7, 2019, willfully, unlawfully, and feloniously with the intent to defraud the State of Mississippi or any department, agency, office, board, commission, county, municipality or other subdivision of the state or local government, knowingly and willfully falsified, concealed or covered up by trick, scheme or device, material facts, To- wit: Nancy New and Zachery New, and others known and unknown to the grand jury, did with the intent to defraud the Mississippi Department of Human Services by having knowingly and willfully concealed or covered up by trick, scheme or device the material facts that they had fraudulently and unlawfully obtained and transferred \$1,656,000.00 in limited purpose public TANF Grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services to New Learning Resource, Inc., a company known by Nancy New and Zachary New to be ineligible to receive such grant funds and for purposes not allowed by the terms and conditions of the grants under which the funds were entrusted, all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended), all occurring within the jurisdiction of this court and in violation of Section 97-7-10, Mississippi Code Annotated (1972, as amended); and,

COUNT XXIX

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about February 11, 2019, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously, while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, having devised or intending to devise any scheme or artifice to defraud the State of Mississippi, or for obtaining money from the State of Mississippi or for unlawfully securing personal advantage by means of false or fraudulent pretenses, representations or promises, did for the purpose of executing such scheme or artifice or attempting so to do, transmitted or caused to be transmitted by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across county or state jurisdictional lines, to wit: on or about February 11, 2019, Nancy New and Zachary New did transmit or cause to be transmitted \$40,000.00 by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across state jurisdictional lines, of limited purpose grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services from a bank account controlled by Nancy New and Zachary New, being Regions Bank Account Number \*\*\*\*\*7729, into a bank account owned by Rise In Malibu, Wells Fargo Bank NA, (San Francisco, California) Bank Account Number \*\*\*\*\*0248, for the purpose of executing a scheme or artifice or

attempting so to do, to defraud the State of Mississippi by false claims for limited purpose public grant funds and the concealment of the unlawful and fraudulent diversion of limited purpose public grant funds to Rise In Malibu, a company known to be ineligible to receive such grant funds and the transfer was for the wrongful, criminally fraudulent and unlawful purposes of using the said limited purpose grant funds for the personal advantage of Nancy New and Zachary New gained by the bribery of a public official John Davis, Executive Director of the Mississippi Department of Human Services, as part of a scheme to defraud and the defrauding of the Mississippi Department of Human Services, all accomplished by means of false or fraudulent pretenses, representations or promises, and for the purpose of executing such scheme or artifice to defraud the Mississippi Department of Human Service and to bribe John Davis, or attempting so to do, all occurring within the jurisdiction of this court and in violation of Section 97-19-83, Mississippi Code Annotated (1972, as amended); and,

COUNT XXX

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about March 8, 2019, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously, while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, having devised or intending to devise any scheme or artifice to defraud the State of Mississippi, or for obtaining money from the State of Mississippi or for unlawfully securing personal advantage by means of false or fraudulent pretenses, representations or promises, did for the purpose of executing such scheme or artifice or attempting so to do, transmitted or caused to be transmitted by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across county or state jurisdictional lines, to wit: on or about March 8, 2019, Nancy New and Zachary New did transmit or cause to be transmitted \$40,000.00 by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across state jurisdictional lines, of limited purpose grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services from a bank account controlled by Nancy New and Zachary New, being Regions Bank Account Number \*\*\*\*\*7729, into a bank account owned by Rise In Malibu, Wells Fargo Bank NA, (San Francisco, California) Bank Account Number \*\*\*\*\*0248, for the purpose of executing a scheme or artifice or attempting so to do, to defraud the State of Mississippi by false claims for limited purpose public grant funds and the concealment of and the unlawful and fraudulent diversion of limited purpose public grant funds to Rise In Malibu, a company known to be ineligible to receive such grant funds and the transfer was for the wrongful, criminally fraudulent and unlawful purposes of using the said limited purpose grant funds for the personal advantage of Nancy New and Zachary New gained by the bribery of a public official John Davis, Executive Director of the Mississippi Department of

Human Services, as part of a scheme to defraud and the defrauding of the Mississippi Department of Human Services, all accomplished by means of false or fraudulent pretenses, representations or promises, and for the purpose of executing such scheme or artifice to defraud the Mississippi Department of Human Service and to bribe John Davis, or attempting so to do, all occurring within the jurisdiction of this court and in violation of Section 97-19-83, Mississippi Code Annotated (1972, as amended); and,

COUNT XXXI

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about April 8, 2019, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously, while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, having devised or intending to devise any scheme or artifice to defraud the State of Mississippi, or for obtaining money from the State of Mississippi or for unlawfully securing personal advantage by means of false or fraudulent pretenses, representations or promises, did for the purpose of executing such scheme or artifice or attempting so to do, transmitted or caused to be transmitted by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across county or state jurisdictional lines, to wit: on or about April 8, 2019, Nancy New and Zachary New did transmit or cause to be transmitted \$40,000.00 by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across state jurisdictional lines, of limited purpose grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services from a bank account controlled by Nancy New and Zachary New, being Regions Bank Account Number \*\*\*\*\*7729, into a bank account owned by Rise In Malibu, Wells Fargo Bank NA, San Francisco, California Bank Account Number \*\*\*\*\*0248, for the purpose of executing a scheme or artifice or attempting so to do, to defraud the State of Mississippi by false claims for limited purpose public grant funds and the concealment of the unlawful and fraudulent diversion of limited purpose public grant funds to Rise In Malibu, a company known to be ineligible to receive such grant funds and the transfer was for the wrongful, criminally fraudulent and unlawful purposes of using the said limited purpose grant funds for personal advantage of Nancy New and Zachary New by the bribery of a public official John Davis, Executive Director of the Mississippi Department of Human Services, as part of a scheme to defraud and the defrauding of the Mississippi Department of Human Services, all accomplished by means of false or fraudulent pretenses, representations or promises, and for the purpose of executing such scheme or artifice to defraud the Mississippi Department of Human Service and to bribe John Davis, or attempting so to do, all occurring within the jurisdiction of this court and in violation of Section 97-19-83, Mississippi Code Annotated (1972, as amended); and,

COUNT XXXII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about June 13, 2019, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously, while acting in concert and/or aiding, and assisting Zachary New, John Davis and others known and unknown to the grand jury, having devised or intending to devise any scheme or artifice to defraud the State of Mississippi, or for obtaining money from the State of Mississippi or for unlawfully securing personal advantage by means of false or fraudulent pretenses, representations or promises, did for the purpose of executing such scheme or artifice or attempting so to do, transmitted or caused to be transmitted by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across county or state jurisdictional lines, to wit: on or about June 13, 2019, Nancy New did transmit or cause to be transmitted \$40,000.00 by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across state jurisdictional lines, of limited purpose grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services from a bank account controlled by Nancy New and Zachary New, being Regions Bank Account Number \*\*\*\*\*7729, into a bank account owned by Rise In Malibu, Wells Fargo Bank NA, San Francisco, California Bank Account Number \*\*\*\*\*0248, for the purpose of executing a scheme or artifice or attempting so to do, to defraud the State of Mississippi by false claims for limited purpose public grant funds and the concealment of the unlawful and fraudulent diversion of limited purpose public grant funds to Rise In Malibu, a company known to be ineligible to receive such grant funds and the transfer was for the wrongful, criminally fraudulent and unlawful purposes of using the said limited purpose grant funds for personal advantage of Nancy New and Zachary New by the bribery of a public official John Davis, Executive Director of the Mississippi Department of Human Services, as part of a scheme to defraud and the defrauding of the Mississippi Department of Human Services, all accomplished by means of false or fraudulent pretenses, representations or promises, and for the purpose of executing such scheme or artifice to defraud the Mississippi Department of Human Service and to bribe John Davis, or attempting so to do, all occurring within the jurisdiction of this court and in violation of Section 97-19-83, Mississippi Code Annotated (1972, as amended); and,

COUNT XXXIII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years, and Zachary New being a male human being above the age of eighteen (18) years, did, on or about January

22, 2019, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously, while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, having devised or intending to devise any scheme or artifice to defraud the State of Mississippi, or for obtaining money from the State of Mississippi or for unlawfully securing personal advantage by means of false or fraudulent pretenses, representations or promises, did for the purpose of executing such scheme or artifice or attempting so to do, transmitted or caused to be transmitted by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across county or state jurisdictional lines, to wit: on or about January 22, 2019, Nancy New and Zachary New did transmit or cause to be transmitted \$750,000.00 by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across state jurisdictional lines, of limited purpose grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services, from Mississippi Community Education Center bank account, Regions Bank Account Number \*\*\*\*\*7729, to an account controlled by Nancy New and Zachary New in the name of New Learning Resources, Inc., Regions Bank (Mississippi) Account Number \*\*\*\*\*1079 and in turn mailed a check for \$750,000.00, check number 8307, payable from Account \*\*\*\*\*1079 to Prevacus, Inc., in Florida, which deposited said \$750,000.00 check in Prevacus, Inc., Suntrust Bank (Florida) Account Number \*\*\*\*\*7709, for the purpose of executing a scheme or artifice or attempting so to do, to defraud the State of Mississippi by false claims for limited purpose public grant funds and the concealment of the unlawful and fraudulent diversion of limited purpose public grant funds to Prevacus, Inc., a company known to be ineligible to receive such grant funds and the transfer was for the wrongful, criminal fraudulent and unlawful purposes of using the said limited purpose grant funds for personal advantage by the acquisition by Nancy New and Zachary New and others of an ownership interest in Prevacus, Inc., all accomplished by means of false or fraudulent pretenses, representations or promises, and for the purpose of executing such scheme or artifice to defraud the Mississippi Department of Human Service, or attempting so to do, all occurring within the jurisdiction of this court and in violation of Section 97-19-83, Mississippi Code Annotated (1972, as amended); and,

COUNT XXXIV

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about April 8, 2019, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously, while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, having devised or intending to devise any scheme or artifice to defraud the State of Mississippi, or for obtaining money from the State of Mississippi or for unlawfully securing personal advantage by means of false or fraudulent pretenses,

representations or promises, did for the purpose of executing such scheme or artifice or attempting so to do, transmitted or caused to be transmitted by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across county or state jurisdictional lines, to wit: on or about April 8, 2019, Nancy New and Zachary New did transmit or cause to be transmitted \$500,000.00 by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across state jurisdictional lines, of limited purpose grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services from a bank account controlled by Nancy New and Zachary New, being Regions Bank (Mississippi) Account Number \*\*\*\*\*7729, into a bank account owned by Prevacus, Inc., Suntrust Bank (Florida) Account Number \*\*\*\*\*7709, for the purpose of executing a scheme or artifice or attempting so to do, to defraud the State of Mississippi by false claims for limited purpose public grant funds and the concealment of the unlawful and fraudulent diversion of limited purpose public grant funds to Prevacus, Inc., a company known to be ineligible to receive such grant funds and the transfer was for the wrongful, fraudulent and unlawful purposes of using the said limited purpose grant funds for personal advantage by the acquisition by Nancy New and Zachery New and others of an ownership interest in Prevacus, Inc., all accomplished by means of false or fraudulent pretenses, representations or promises, and for the purpose of executing such scheme or artifice to defraud the Mississippi Department of Human Service, or attempting so to do, all occurring within the jurisdiction of this court and in violation of Section 97-19-83, Mississippi Code Annotated (1972, as amended); and,

COUNT XXXV

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about May 10, 2019, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously, while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, having devised or intending to devise any scheme or artifice to defraud the State of Mississippi, or for obtaining money from the State of Mississippi or for unlawfully securing personal advantage by means of false or fraudulent pretenses, representations or promises, did for the purpose of executing such scheme or artifice or attempting so to do, transmitted or caused to be transmitted by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across county or state jurisdictional lines, to wit: on or about May 10, 2019, Nancy New and Zachary New did transmit or cause to be transmitted \$250,000.00 by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across state jurisdictional lines, of

limited purpose grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services from a bank account controlled by Nancy New and Zachary New, being Regions Bank (Mississippi) Account Number \*\*\*\*\*7729, into a bank account owned by Prevacus, Inc., Suntrust Bank (Florida) Account Number \*\*\*\*\*7709, for the purpose of executing a scheme or artifice or attempting so to do, to defraud the State of Mississippi by false claims for limited purpose public grant funds and the concealment of the unlawful and fraudulent diversion of limited purpose public grant funds to Prevacus, Inc., a company known to be ineligible to receive such grant funds and the transfer was for the wrongful, criminally fraudulent and unlawful purposes of using the said limited purpose grant funds for personal advantage by the acquisition by Nancy New and Zachery New and others of an ownership interest in Prevacus, Inc., all accomplished by means of false or fraudulent pretenses, representations or promises, and for the purpose of executing such scheme or artifice to defraud the Mississippi Department of Human Service, or attempting so to do, all occurring within the jurisdiction of this court and in violation of Section 97-19-83, Mississippi Code Annotated (1972, as amended); and,

COUNT XXXVI

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about July 16, 2019, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously, while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, having devised or intending to devise any scheme or artifice to defraud the State of Mississippi, or for obtaining money from the State of Mississippi or for unlawfully securing personal advantage by means of false or fraudulent pretenses, representations or promises, did for the purpose of executing such scheme or artifice or attempting so to do, transmitted or caused to be transmitted by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across county or state jurisdictional lines, to wit: on or about July 16, 2019, Nancy New and Zachary New did transmit or cause to be transmitted \$400,000.00 by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across state jurisdictional lines, of limited purpose grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services from a bank account controlled by Nancy New and Zachary New, being Regions Bank (Mississippi) Account Number \*\*\*\*\*7729, into a bank account owned by Prevacus, Inc., Suntrust Bank (Florida) Account Number \*\*\*\*\*7709, for the purpose of executing a scheme or artifice or attempting so to do, to defraud the State of Mississippi by false claims for limited purpose public grant funds and the concealment of the unlawful and fraudulent diversion of limited purpose public grant funds to Prevacus, Inc., a company known to be ineligible to receive such grant funds and the transfer was for the

wrongful, criminally fraudulent and unlawful purposes of using the said limited purpose grant funds for personal advantage by the acquisition by Nancy New and Zachery New and others of an ownership interest in Prevacus, Inc., all accomplished by means of false or fraudulent pretenses, representations or promises, and for the purpose of executing such scheme or artifice to defraud the Mississippi Department of Human Service, or attempting so to do, all occurring within the jurisdiction of this court and in violation of Section 97-19-83, Mississippi Code Annotated (1972, as amended); and,

COUNT XXXVII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about September 24, 2019, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously, while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, having devised or intending to devise any scheme or artifice to defraud the State of Mississippi, or for obtaining money from the State of Mississippi or for unlawfully securing personal advantage by means of false or fraudulent pretenses, representations or promises, did for the purpose of executing such scheme or artifice or attempting so to do, transmitted or caused to be transmitted by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across county or state jurisdictional lines, to wit: on or about September 24, 2019, Nancy New and Zachary New did transmit or cause to be transmitted \$100,000.00 by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across state jurisdictional lines, of limited purpose grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services from a bank account controlled by Nancy New and Zachary New, being Regions Bank (Mississippi) Account Number \*\*\*\*\*7729, into a bank account owned by PresolMD, Suntrust Bank (Florida) Account Number \*\*\*\*\*9424, for the purpose of executing a scheme or artifice or attempting so to do, to defraud the State of Mississippi by false claims for limited purpose public grant funds and the concealment of the unlawful and fraudulent diversion of limited purpose public grant funds to Prevacus, Inc. and/or PresolMD, companies known to be ineligible to receive such grant funds and the transfer was for the wrongful, criminally fraudulent and unlawful purposes of using the said limited purpose grant funds for personal advantage by the acquisition by Nancy New and Zachery New and others of an ownership interest in Prevacus, Inc. and/or PresolMD, all accomplished by means of false or fraudulent pretenses, representations or promises, and for the purpose of executing such scheme or artifice to defraud the Mississippi Department of Human Service, or attempting so to do, all occurring within the jurisdiction of this court and in violation of Section 97-19-83, Mississippi Code Annotated (1972, as amended); and,

COUNT XXXVIII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, on or about October 7, 2019, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously, while acting in concert and/or aiding, and assisting each other, John Davis and others known and unknown to the grand jury, having devised or intending to devise any scheme or artifice to defraud the State of Mississippi, or for obtaining money from the State of Mississippi or for unlawfully securing personal advantage by means of false or fraudulent pretenses, representations or promises, did for the purpose of executing such scheme or artifice or attempting so to do, transmitted or caused to be transmitted by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across county or state jurisdictional lines, to wit: on or about October 7, 2019, Nancy New and Zachary New did transmit or cause to be transmitted \$150,000.00 by mail, telephone, newspaper, radio, television, wire, electromagnetic waves, microwaves, or other means of communication or by person, any writings, signs, signals, pictures, sounds, data, or other matter across state jurisdictional lines, of limited purpose grant funds entrusted to Mississippi Community Education Center by the Mississippi Department of Human Services from a bank account controlled by Nancy New and Zachary New, being Regions Bank (Mississippi) Account Number \*\*\*\*\*7729, into a bank account owned by PresolMD, Suntrust Bank (Florida) Account Number \*\*\*\*\*9424, for the purpose of executing a scheme or artifice or attempting so to do, to defraud the State of Mississippi by false claims for limited purpose public grant funds and the concealment of the unlawful and fraudulent diversion of limited purpose public grant funds to Prevacus, Inc. and/or PresolMD, companies known to be ineligible to receive such grant funds and the transfer was for the wrongful, criminally fraudulent and unlawful purposes of using the said limited purpose grant funds for personal advantage by the acquisition by Nancy New and Zachery New and others of an ownership interest in Prevacus, Inc. and/or PresolMD, all accomplished by means of false or fraudulent pretenses, representations or promises, and for the purpose of executing such scheme or artifice to defraud the Mississippi Department of Human Service, or attempting so to do, all occurring within the jurisdiction of this court and in violation of Section 97-19-83, Mississippi Code Annotated (1972, as amended); and,

COUNT XXXIX

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, between October 1, 2018 and June 12, 2019, with intent to defraud the State of Mississippi made false entries, or falsely altered entries made in any book of accounts kept by a corporation or its officers, which

book of accounts was delivered or intended to be delivered to any person dealing with such corporation, by which any pecuniary obligation, claim, or credit shall be or shall purport to be discharged, diminished, increased, created, or in any manner affected, to wit: between October 1, 2018 and June 11, 2019, Nancy New, at a time when she was in the position of Executive Director of the Mississippi Community Education Center, a non-profit corporation, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center and while acting in concert and/or aiding, and assisting each other, Anne McGrew, John Davis, and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public grant funds to Mississippi Community Education Center, did with the intent to defraud the Mississippi Department of Human Services knowingly and willfully make false entries or falsely altered entries made in the books of account, including budgets, Quickbook records and Ledgers kept by Mississippi Community Education Center, a non-profit corporation, or an officer thereof, namely budgets, Quickbook records and Ledgers periodically delivered on more than two (2) occasions, or intended to be delivered to the Mississippi Department of Human Services and its employees being persons dealing with Mississippi Community Education Center by which the pecuniary obligation of Mississippi Community Education Center and Nancy New, the claims of Mississippi Community Education Center, or credit of Mississippi Community Education Center, was or was purported to be discharged, diminished, increased, created, or in any manner affected, namely that limited purpose public TANF Grant funds were needed and budgeted to be expended by Mississippi Community Education Center in discharge of its obligations and the obligations of Nancy New under the terms of the 2019 TANF Grants obtained by Mississippi Community Education Center and that limited purpose public TANF Grant funds had been expended by Mississippi Community Education Center in discharge of its obligations and the obligations of Nancy New under the terms of the 2019 TANF Grants obtained by Mississippi Community Education Center when in truth and fact the sums sought were intended by Nancy New and Zachary New to be, and were in fact, expended on bribes to a public official and unlawful transfers to New Learning Resources, Inc., Prevacus Inc., and PresolMD, all occurring within the jurisdiction of this court and in violation of Section 97-21-3, Mississippi Code Annotated (1972, as amended); and,

COUNT XL

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years, and Zachary New being a male human being above the age of eighteen (18) years, did, between June 12, 2019 and February 4, 2020, with intent to defraud the State of Mississippi made false entries, or falsely altered entries made in any book of accounts kept by a corporation or its officers, which book of accounts was delivered or intended to be delivered to any person dealing with such corporation, by which any pecuniary obligation, claim, or credit shall be or shall purport to be discharged, diminished, increased, created, or in any manner affected, to wit: between June 12, 2019 and February 4, 2020, Nancy New, at a time when she was in the position of Executive

Director of the Mississippi Community Education Center, a non-profit corporation, and Zachary New, at a time when he was in the position of Assistant Executive Director of the Mississippi Community Education Center and while acting in concert and/or aiding, and assisting each other, Anne McGrew, John Davis, and others known and unknown to the grand jury, and during and after the time when the Mississippi Department of Human Services had entrusted limited purpose public grant funds to Mississippi Community Education Center, did with the intent to defraud the Mississippi Department of Human Services knowingly and willfully make false entries or falsely altered entries made in the books of account, including budgets, Quickbook records and Ledgers kept by Mississippi Community Education Center, a non-profit corporation, or an officer thereof, namely the budgets, Quickbook records and General Ledgers periodically delivered on more than two (2) occasions, or intended to be delivered to the Mississippi Department of Human Services and Mississippi Office of State Auditor and those agencies employees being persons dealing with Mississippi Community Education Center and creation or a false debit or credit in relation to the document entitled "Memorandum of Understanding Between Mississippi Community Education Center and New Learning Resources, Inc.," bearing the forged signature of William R. Sutton, presented to the Mississippi Office Of State Auditor by which the pecuniary obligation of Mississippi Community Education Center and Nancy New, the claims of Mississippi Community Education Center, or credit of Mississippi Community Education Center, was or was purported to be discharged, diminished, increased, created, or in any manner affected, namely that limited purpose public TANF Grant funds were needed and budgeted to be expended by Mississippi Community Education Center in discharge of its obligations and the obligations of Nancy New under the terms of the 2019 TANF Grants obtained by Mississippi Community Education Center and that limited purpose public TANF Grant funds had been expended by Mississippi Community Education Center in discharge of its obligations and the obligations of Nancy New under the terms of the 2019 TANF Grants obtained by Mississippi Community Education Center when in truth and fact the sums sought were intended by Nancy New and Zachary New to be , and were in fact, expended on bribes to a public official and unlawful transfers to New Learning Resources, Inc., Prevacus Inc., and PresolMD, all occurring within the jurisdiction of this court and in violation of Section 97-21-3, Mississippi Code Annotated (1972, as amended); and,

#### COUNT XLI

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, between September 1, 2018 and February 4, 2020, with criminal intent received proceeds derived, directly or indirectly, from a pattern of racketeering activity to use or invest, whether directly or indirectly, any part of such proceeds or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, the establishment or operation of any enterprise, to wit: Nancy New and Zachary New engaged in racketeering activities by at least two (2) incidents with the same or similar intents, results, accomplices, victims, or methods

of commission or otherwise are interrelated by distinguishing characteristics and are not isolated incidents, by each committing, attempting to commit, conspiring to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery and falsification of books of account of Mississippi Community Education Center) or by each having solicited, coerced or intimidated each other, and another person or persons, including Anne McGrew, to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery and falsification of books of account of Mississippi Community Education Center), and Nancy New and Zachary New, each with criminal intent, did receive proceeds derived, directly or indirectly, from the pattern of racketeering activity and thereafter use or invest, directly or indirectly, any part of such proceeds or the proceeds derived from the investment or use thereof, in the operation of several enterprises, namely and the enterprise of the association or group of individuals made up of Nancy New, Zachary New, Anne McGrew, and John Davis, and the enterprise of Mississippi Community Education Center and the enterprise of New Learning Resources, Inc., all occurring within the jurisdiction of this court and in violation of Section 97-43-5(1), Mississippi Code Annotated (1972, as amended); and,

COUNT XLII

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, between September 1, 2018 and February 4, 2020, with criminal intent received proceeds derived, directly or indirectly, from a pattern of racketeering activity to use or invest, whether directly or indirectly, any part of such proceeds or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, the establishment or operation of any enterprise, to wit: Nancy New and Zachery New each engaged in racketeering activities by at least two (2) incidents with the same or similar intents, results, accomplices, victims, or methods of commission or otherwise are interrelated by distinguishing characteristics and are not isolated incidents, by each committing, attempting to commit, conspiring to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery and falsification of books of account of Mississippi Community Education Center) or by each of them having solicited, coerced or intimidated each other, and another person or persons, including Anne McGrew, to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery and falsification of books of account of Mississippi Community Education Center), and Nancy New and Zachary New, each with criminal intent, did through a pattern of racketeering activity acquired, directly or indirectly, an interest in enterprises known as Prevacus Inc., and PresolMD, all occurring within the jurisdiction of this court and in violation of Section 97-43-5(2), Mississippi Code Annotated (1972, as amended); and,

COUNT XLIII

based upon a series of acts connected together and constituting parts of a common

scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years, and Zachary New being a male human being above the age of eighteen (18) years, did, between September 1, 2018 and February 4, 2020, with criminal intent received proceeds derived, directly or indirectly, from a pattern of racketeering activity to use or invest, whether directly or indirectly, any part of such proceeds or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, the establishment or operation of any enterprise, to wit: Nancy New and Zachary New each engaged in racketeering activities by at least two (2) incidents with the same or similar intents, results, accomplices, victims, or methods of commission or otherwise are interrelated by distinguishing characteristics and are not isolated incidents, by each committing, attempting to commit, conspiring to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery and falsification of books of account of Mississippi Community Education Center) or by each having solicited, coerced or intimidated each other and another person or persons, including Anne McGrew, to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery and falsification of books of account of Mississippi Community Education Center), and Nancy New and Zachary New, each being a person employed by, or associated with, the following enterprises: the association or group of individuals made up of Nancy New, Zachary New, Anne McGrew, and John Davis, the enterprise of Mississippi Community education Center and the enterprise of New Learning Resources, Inc., Nancy New and Zachary New willfully, knowingly and each with criminal intent, did conduct or participate, directly or indirectly, in such enterprises through a pattern of racketeering activity as described above, all occurring within the jurisdiction of this court and in violation of Section 97-43-5(3), Mississippi Code Annotated (1972, as amended); and,

#### COUNT XLIV

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years, and Zachary New being a male human being above the age of eighteen (18) years, did, between September 1, 2018 and February 4, 2020, conspired with others to violate each of the provisions of subsections (1), (2) or (3) of Miss. Code §97-43-5, to wit: Nancy New and Zachary New conspired with each other and Anne McGrew and John Davis and other known and unknown to the Grand Jury, to violate subsections (1), (2) or (3) of Miss. Code §97-43-5, by:

between September 1, 2018 and February 4, 2020, Nancy New and Zachary New each with criminal intent received proceeds derived, directly or indirectly, from a pattern of racketeering activity to use or invest, whether directly or indirectly, any part of such proceeds or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, the establishment or operation of any enterprise, to wit: Nancy New and Zachary New engaged in racketeering activity by at least two (2) incidents with the same or similar intents, results, accomplices, victims, or methods of commission or otherwise are interrelated by distinguishing characteristics and are not isolated incidents, by herself committing, attempting to

commit, conspiring to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery or falsification of books of account of Mississippi Community Education Center) or by each having solicited, coerced or intimidated each other, another person or persons, including Anne McGrew, to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery or falsification of books of account of Mississippi Community Education Center), and Nancy New and Zachary New, each with criminal intent, did receive proceeds derived, directly or indirectly, from the pattern of racketeering activity and thereafter use or invest, directly or indirectly, any part of such proceeds or the proceeds derived from the investment or use thereof, in the operation of several enterprises, namely and the enterprise of the association or group of individuals made up of Nancy New, Zachary New, Anne McGrew, and John Davis, and the enterprise of Mississippi Community Education Center and the enterprise of New Learning Resources, Inc., all occurring within the jurisdiction of this court and in Miss. Code §97-43-5(1); and/or

between September 1, 2018 and February 4, 2020, with criminal intent received proceeds derived, directly or indirectly, from a pattern of racketeering activity to use or invest, whether directly or indirectly, any part of such proceeds or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, the establishment or operation of any enterprise, to wit: Nancy New and Zachary New each engaged in racketeering activity by at least two (2) incidents with the same or similar intents, results, accomplices, victims, or methods of commission or otherwise are interrelated by distinguishing characteristics and are not isolated incidents, by each committing, attempting to commit, conspiring to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery and falsification of books of account of Mississippi Community Education Center) or by each of them having solicited, coerced or intimidated each other, another person or persons, including Anne McGrew, to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery and falsification of books of account of Mississippi Community Education Center), and Nancy New and Zachary New, each with criminal intent, did through a pattern of racketeering activity acquired, directly or indirectly, an interest in enterprises known as Prevacus Inc., and PresolMD, all occurring within the jurisdiction of this court and in violation of Miss. Code §97-43-5(2); and/or

between September 1, 2018 and February 4, 2020, with criminal intent received proceeds derived, directly or indirectly, from a pattern of racketeering activity to use or invest, whether directly or indirectly, any part of such proceeds or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, the establishment or operation of any enterprise, to wit: Nancy New and Zachary New each engaged in racketeering activity by at least two (2) incidents with the same or similar intents, results, accomplices, victims, or methods of commission or otherwise are interrelated by distinguishing characteristics and are not isolated incidents, by each committing, attempting to commit, conspiring to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery and falsification of books of account of Mississippi Community Education Center) or by each having solicited, coerced or intimidated each other, another person or persons, including Anne McGrew, to commit any crime which is chargeable under Miss. Code §97-21-3 (forgery and falsification

of books of account of Mississippi Community Education Center), and Nancy New and Zachary New, each being a person employed by, or associated with, the following enterprises: the association or group of individuals made up of Nancy New, Zachary New, Anne McGrew, and John Davis, the enterprise of Mississippi Community education Center and the enterprise of New Learning Resources, Inc., Nancy New and Zachary New willfully, knowingly and each with criminal intent, did conduct or participate, directly or indirectly, in such enterprises through a pattern of racketeering activity as described above, all occurring within the jurisdiction of this court and in violation of Miss. Code §97-43-5(3); and

COUNT LXV

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years and Zachary New being a male human being above the age of eighteen (18) years, did, between September 1, 2018 and February 4, 2020, did conduct, organize, supervise or manage, directly or indirectly, an organized theft or fraud enterprise in violation of Miss. Code §97-43-3.1(1), to wit: Nancy New and Zachery New, between September 1, 2018 and February 4, 2020, did conduct, organize, supervise or manage, directly or indirectly, an association of two (2) or more persons who engaged in the conduct of or are associated for the purpose of effectuating the transfer or sale of services or information acting as a subgrantee for TANF funds granted to State of Mississippi and its Mississippi Department of Human Services that had a pecuniary value that causes a loss to a victim, being the State of Mississippi and its Mississippi Department of Human Services, and which conduct, organization, supervision or management involved the fraud enterprise engaging in repeated violations of Miss. Code §97-19-83, by transmitting money obtained by criminal fraud and forgery across state lines to Rise In Malibu in California and Prevacus Inc., and PresolMD in Florida, all occurring within the jurisdiction of this court and in violation of Miss. Code §97-43-3.1(1); and

COUNT LXVI

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Nancy New, being a female human being above the age of eighteen (18) years, and Zachary New being a male human being above the age of eighteen (18) years, did, between September 1, 2018 and February 4, 2020, with criminal intent, receive proceeds or services derived, directly or indirectly, from an organized theft or fraud enterprise in violation of Miss. Code §97-43-3.1(2), to wit: Nancy New and Zachery New, between September 1, 2018 and February 4, 2020, did with criminal intent, receive proceeds or services derived, directly or indirectly, from an association of two (2) or more persons who engaged in the conduct of or are associated for the purpose of effectuating the transfer or sale of services or information acting as a subgrantee for TANF funds granted to State of Mississippi and its Mississippi Department of Human Services that had a pecuniary value that causes a loss to a victim, being the State of

Mississippi and its Mississippi Department of Human Services, and which fraud enterprise engaged in repeated violations of Miss. Code §97-19-83, by transmitting money obtained by criminal fraud and forgery across state lines to Rise In Malibu in California and Prevacus Inc., and PresolMD in Florida, all occurring within the jurisdiction of this court and in violation of Miss. Code §97-43-3.1(2)); and,

All of the above, Count I through Count LXVIII, inclusive of all Counts between, being contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Mississippi.

Endorsed: A True Bill

Edward N. Chase IV  
Foreman of the Grand Jury

Jessie J. Judd  
Assistant District Attorney